

Subject: Appeal application, 2004-0863  
Date: February 7, 2005

We are filing for an appeal. We and many residents in the neighborhood are against the installation of the wireless repeater on 800 Carlisle.

We shall submit, two weeks before the council meeting, a formal appeal letter with details, as well as supporting material.

Thank you.

Names and addresses of appellants (2004-0863):

Uli Palli	824 Coventry Ct., Sunnyvale, CA 94087.
Mei-Ling Shek-Stefan	820 Coventry Ct.
Paul Healy	823 Coventry Ct.
Terry Grossman	816 Coventry Ct.
Charles Grossman	816 Coventry Ct.
Ojars Ziemelis	812 Coventry Ct.
Mary McLearn	827 Coventry Ct.
Robert McLearn	827 Coventry Ct.
Peter M. Stefan	820 Coventry Ct.
Katherine Foist	1403 Kingfisher Way
John Ameling	819 Coventry Ct.
Susan Charbonneau	819 Coventry Ct.
Bala Venkat	1409 Kingfisher Way
Sumita Jayaraman	1409 Kingfisher Way

**Appeal to deny a Use Permit to construct a Cellular Phone Tower (Tree Pole)  
at 800 Carlisle, Sunnyvale, CA**

The Sunnyvale residents living near 800 Carlisle request that the Sunnyvale City Council reconsider the recent decision of the Planning Commission concerning the construction of a cellular phone tower in our neighborhood. We request that the Council deny the Use Permit for construction of a 55-foot tree pole that would serve as a cellular phone tower. We believe that the approved 55-ft tree-pole will not blend in with the surroundings and will be an unsightly intrusion in our neighborhood. We believe further that alternative sites better meet the criteria set out in the relevant SMC Section 19.54.040(a).

**Esthetic consideration:**

Originally, a 50-foot monopole was proposed by Sprint for construction at 800 Carlisle. City staff considered city code SMC Section 19.54.040(p) and correctly pointed out that the 50 ft-tall monopole "would stand above the vegetation located near the pole", and "would be too obvious on the site and would be visible from many locations throughout the neighborhood" (Report 2004-0863, p. 5 of 8 and p. 7 of 8). A 55-foot tree-pole was suggested as an alternative and was approved. But the approved 55-ft tree-pole, too, would rise well above the surrounding landscape, not blend with surrounding trees and shrubs. It would be quite obvious as an artificial construct, and it would be clearly visible from every direction in the neighborhood.

**Future Plan:**

Sprint stated in its original application that it might, at a future date, expand the proposed repeater site to a full cellular site. This would increase the impact on the neighborhood still more, as would co-location of additional carriers. Would a tree pole become a tree pole forest, towering above the natural landscape in this residential area? Future plans for this site should be examined and clarified before any decision is made.

**Alternate Approaches and Sites:**

Higher-order options and co-location. SMC Section 19.54.040(a) states that the order of preference for wireless facilities is: façade-mounted, roof-mounted, ground-mounted, and freestanding tower. We understand that the city encourages co-location of carriers. And most citizens prefer the location of wireless facilities in commercial zones. Yet it appears that the applicant has not considered, or been given the opportunity to consider, the higher-order options and co-location.

There is an office building at 895 E. Fremont, where Cingular has a façade-mounted facility. This is only about 1/4 mile from 800 Carlisle. We understand that the height of the façade could be increased to 40 feet with minimal impact. Space would not be a problem at that site; Verizon has approval for co-location (Report 2003-0489) but has not used the space.

The potential for further development of the Sprint roof-mounted facility, at 958 El Camino Real, should also be considered. The wireless facility map available to us indicates that AT&T is applying for a site at that location, suggesting a potential for further development. This, together with a new site on the PG&E property on Homestead, would also serve the

Sprint customers in the super-block bounded by Fremont, Wolfe, Homestead and Sunnyvale-Saratoga.

Ortega Park as an alternative site: The applicant did identify a light fixture in Ortega Park as a possible location (Report 2004-0863, p.5 of 8). However, the Parks and Recreation Department responded that commercial activities are currently discouraged in city parks. But the planning staff noted that "placing the wireless telecommunications facility on ...property being used by Cal Water allows two quasi-public facilities on the same property" (Report 2004-0863, p.5 of 8), thus classifying a telecom site not as a commercial facility but rather as a quasi-public facility. If a telecom facility is indeed a quasi-public facility, then it is appropriate to a city park. Interestingly, the City of Cupertino, in its Wireless Facilities Master Plan, explicitly offers its parks and recreation centers as possibilities for telecom sites ([www.cupertino.org, \\_wmp.pdf](http://www.cupertino.org/_wmp.pdf), p. 14).

The much larger land parcel in Ortega Park, in comparison with that at 800 Carlisle, offers the opportunity of locating a wireless site further away from homes, thereby minimizing the negative impacts. Moreover, the use of an existing structure, instead of a new free-standing structure at 800 Carlisle, would conform well to city's order of preference guidelines. Finally, the city would realize substantial revenue from leasing the park space.

We suggest that one of the two tallest light fixtures in Ortega Park be considered for the wireless facility. Figure 1 shows the location of these two light fixtures. The pole labeled "1" is about 348 ft from the nearest residence on Inverness, and about 340 ft from the edge of the school playground to the north. Pole "2" is closer to Inverness by about 98 ft. Figure 2 is a photograph of these two light poles used for illuminating the athletic field.

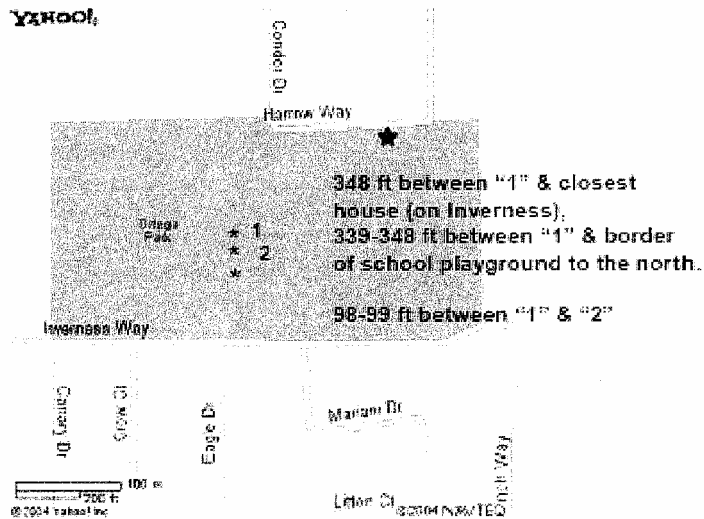
The Park's and Recreation Department may be concerned that the telecom ground equipment will take away space designated for the enjoyment of citizens. Hence telecom sites are allowed in Braly Park because they fit into space already taken up by PG&E's lattice towers. We have made observations at two telecom sites where the ground equipment can be viewed. Figures 3 and 4 indicate that well-designed ground equipment would need an area substantially less than that requested by the applicant.

Several locations at Ortega Park could accommodate the ground equipment: (i) the unused central back portion of an existing small building, (ii) the space underneath new bleachers to be constructed to replace the old, or (iii) the space below the billboard for the athletic field. Or, the ground equipment could be placed in an underground vault, an idea suggested in the Cupertino Wireless Master Plan ([www.cupertino.org, \\_wmp.pdf](http://www.cupertino.org/_wmp.pdf), p. 23). Options (i) and (ii) are shown in Figures 5 and 6, respectively. The example of wireless sites by the athletic field at Fremont High School is shown in Figure 7.

Thank you for considering our concerns and suggestions.

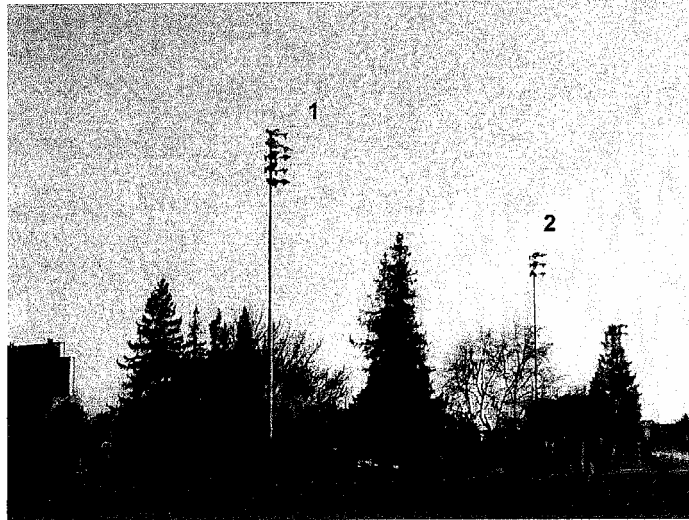
Attached: signatures and list of residents near 800 Carlisle; letters from concerned citizens.

March 15, 2005



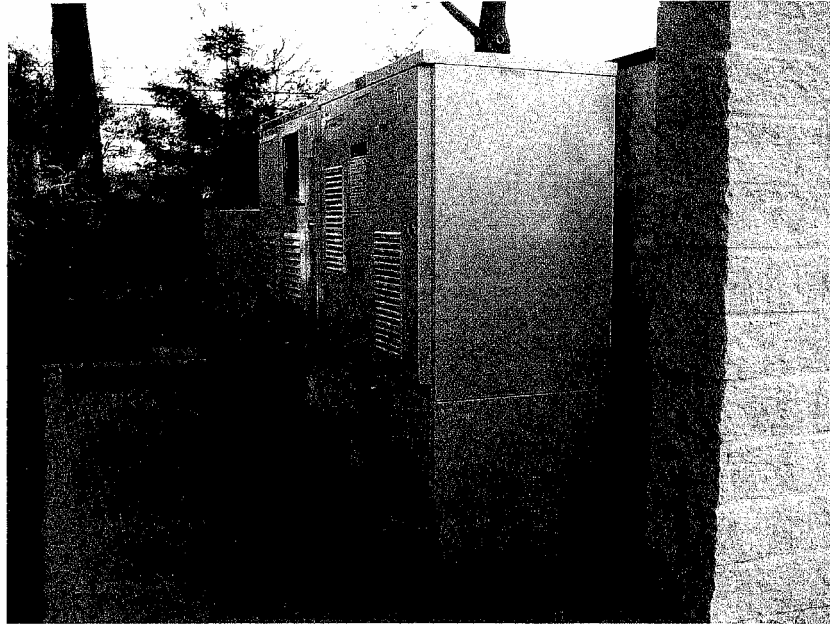
**Figure 1. Ortega Park as an alternative site: location of existing tall light fixtures by the athletic field.**

There are three light fixtures by the athletic field. The location of the two tallest ones are indicated in the figure. The distance between pole "1" and the closest house (on Inverness Way) was obtained with a 100-ft tape measure. The other distances were estimated by the number of paces, referenced to the first distance.



**Figure 2. Ortega Park as an alternative site: either of the two tallest light fixtures can be used.**

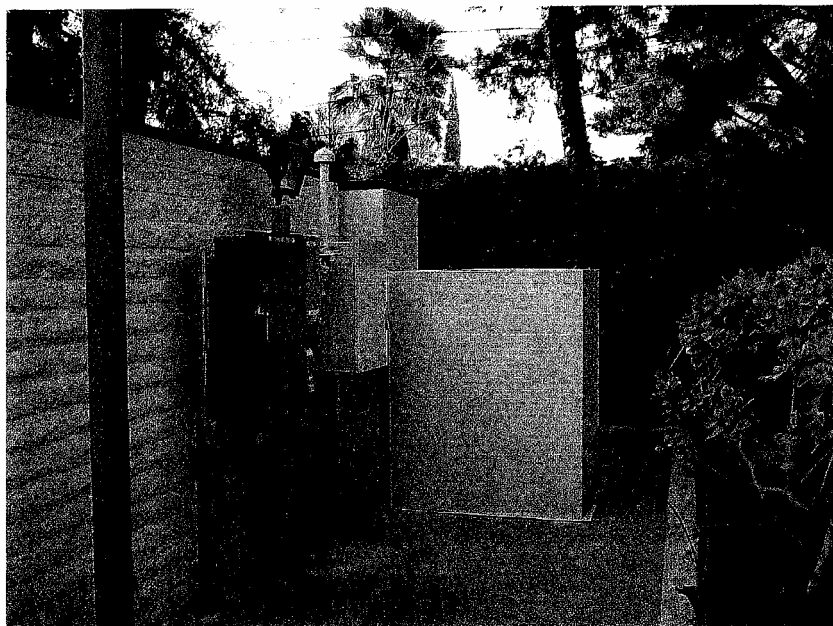
The house on the far right in this photograph is the closest residence, which is on Inverness .



**Figure 3. Example of compact, well-designed layout of telecom ground equipment.**

This photograph shows the ground equipment at Cingular site #SF-922 in Cupertino. The main equipment that takes up space consists of two electrical panels, each about 2.5 ft. x 8 ft. and 6 ft. tall, and a "box" which is about 3 ft. x 3 ft. x 4 ft. This is placed behind an enclosure for a trash bin. At the Cingular site at 895 E. Fremont, the ground equipment is similarly compact: outside the building, there are two electrical panels which are like the ones shown above. (The "box" is not seen outside the building.)

*While we realize that different carriers use different equipment, it is not clear if the space requested in an application necessarily reflects what is really required when the best effort is made to reduce the footprint of the equipment.*



**Figure 4. Example of compact, well-designed layout of telecom ground equipment (continued).**

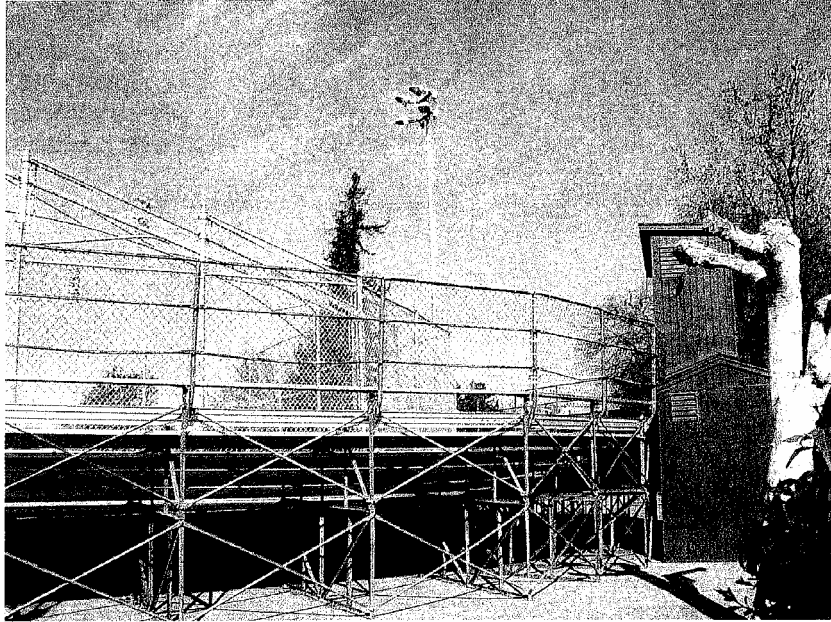
For completeness, this shows the additional equipment around the corner of the trash bin enclosure, at Cingular site # SF-922. The “box” measuring 3 ft. x 3 ft. x 4 ft. is more clearly seen in this photograph.





**Figure 5. Ortega Park as an alternative site: option (i) for placement of telecom ground equipment.**

This shows a small building near the athletic field, in relation to light pole "2". The building houses restrooms on both ends, and a central front portion for a concession stand. The back portion seems to be an empty storage area, which could be used for housing telecom ground equipment.



**Figure 6. Ortega Park as an alternative site: option (ii) for placement of telecom ground equipment.**

This shows the present state of the bleachers at the athletic field. They are old, untidy, and the rails are rusty in some places. New bleachers funded or built by the telecom company could accommodate the ground equipment underneath.



**Figure 7. Example of wireless sites at Fremont High School.**  
The antenna arrays are mounted on the light fixtures for the athletic field.  
There is room for equipment under the bleachers.